



South Carolina House of Representatives

Legislative Update

Robert W. Harrell, Jr., Speaker of the House

Vol. 23

February 28, 2006

No. 08

CONTENTS

HOUSE WEEK IN REVIEW	02
HOUSE COMMITTEE ACTION	05
BILLS INTRODUCED IN THE HOUSE THIS WEEK.....	08

NOTE: THESE SUMMARIES ARE PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND ARE NOT THE EXPRESSION OF THE LEGISLATION'S SPONSOR(S) OR THE HOUSE OF REPRESENTATIVES. THEY ARE STRICTLY FOR THE INTERNAL USE AND BENEFIT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND ARE NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT.

OFFICE OF RESEARCH

Room 213, Blatt Building, P.O. Box 11867, Columbia, S.C. 29211, (803) 734-3230

HOUSE WEEK IN REVIEW

The House of Representatives and the Senate voted to override the Governor's veto on **H.3381**, the "**SOUTH CAROLINA LANDOWNER AND ADVERTISING PROTECTION AND PROPERTY VALUATION ACT**," which provides conditions for how local governments may regulate billboards. Under the legislation, a local governing body may enact or amend an ordinance to require the removal of any nonconforming, lawfully erected off-premises outdoor advertising sign only if the ordinance requires the payment of just compensation to the sign owners. Just compensation is not required under specified conditions, such as if the sign is adjudicated unsafe or a public nuisance, or the local government and the sign owner enter into a voluntary agreement on relocation or removal. The legislation also prohibits a billboard for an adult or sexually-oriented business from being located within one mile of a public highway.

The House concurred in Senate amendments to **H.3580** and enrolled the bill for ratification. This bill **ALLOWS AN ANNUAL DEDUCTION OF UP TO THREE THOUSAND DOLLARS FROM TAXABLE INCOME OF MEMBERS OF THE STATE GUARD** who meet minimum training or drilling requirements.

The House concurred in Senate amendments to **S.490**, pertaining to **PROPERTY TAX LIENS**, and enrolled the bill for ratification. This bill provides that payment of a lien for state or county taxes, without payment of a lien for municipal taxes, does not extinguish a lien for municipal taxes and makes the lien a first lien on the property until legally discharged. The bill also provides that if the tax sale of an item produces more cash than the full amount due in taxes, assessments, penalties, and costs, the overage must be applied to outstanding municipal tax liens on the property. Any remaining overage belongs to the owner of record immediately before the end of the redemption period to be claimed or assigned according to law. The legislation provides that if the defaulting taxpayer, grantee from the owner, or mortgage or judgment creditor fails to redeem the item of real estate sold at the delinquent tax sale within the prescribed twelve months and after the passing of an additional twelve months, the tax deed issued twenty-four months earlier at the delinquent tax sale is incontestable on procedural or other grounds. The legislation also establishes **RIGHTS OF REAL PROPERTY MORTGAGEES**.

The House amended and gave second reading approval to **S.1061**, a bill authorizing bonded indebtedness for the **SOUTH CAROLINA HERITAGE TRUST PROGRAM** which is used to preserve areas of ecological or cultural importance. The legislation authorizes the governing board of the Department of Natural Resources, which serves as the trustee of the Heritage Trust, to issue bonds to acquire, restore, improve, and manage additional properties suitable for inclusion in the program. The debt is secured by a pledge of the revenues derived from the portion of the state deed recording fee dedicated to the Heritage Land Trust Fund.

The House approved and sent to the Senate **H.4622**, a bill pertaining to the **OPTIONAL AUTOMOBILE INSURANCE COVERAGE FORM**. This bill provides that the form used when optional automobile insurance coverage is offered to an insured must not necessarily be completed by the insured, but must be signed by the insured to be used as evidence of informed selection.

The House amended, approved, and sent to the Senate to **H.4348**. This bill updates the portions of the Code of Laws that deal with **DONATION AND PROCUREMENT OF ORGANS AND TISSUES**. Significant revisions include the following:

- Revises the priority list of persons who may give consent for organ or tissue donation after death. This revision is consistent with the priority order of persons who may make health care decisions under the Adult Health Care Consent Act.
- Deletes references to the Donor Referral Network. This network is defined as including the S.C. Organ Procurement Organization (SCOPA), the American Red Cross Southeastern Tissue Services, and the S.C. Lions Eye Bank. The current statute designates SCOPA to be the exclusive organ procurement agency, the Red Cross to be the exclusive tissue procurement agency, and the Lions Eye Bank to be the exclusive eye procurement agency in South Carolina. Almost two years ago SCOPA and the Lions Eye Bank merged to form LifePoint, an organ and eye procurement agency. Last year the Red Cross stopped procuring tissues. At this time LifePoint procures almost all organs and tissues (including eyes) in this state. The proposed changes in this code section and in subsequent sections reflect these organizational changes.

The federal government designates one organ procurement agency for each geographical territory in the country. LifePoint is the federally designated organ procurement agency in S.C. This bill defines "Organ and Tissue Procurement Organization" to be the organ procurement organization designated to perform organ recovery services in S.C. by the federal government which also has the capability to procure tissues. This change will designate LifePoint to be the exclusive agency to receive potential organ and tissue referrals and donations in this state.

- Revises the board of directors membership categories for the Gift of Life Trust Fund to reflect the organizational changes discussed above. The Gift of Life Trust Fund is a non-profit organization dedicated to promoting and encouraging organ and tissue donation. The bill deletes the Red Cross representative from the Gift of Life Board. It deletes the Lions Eye Bank representative and adds a representative of a civic organization that promotes organ or tissue donation or both. It increases from three to four the number of at-large members who have demonstrated an interest in organ, tissue and eye donation and education. The bill also eliminates the term limit for the forensic pathologist member of the board.

The House amended, approved, and sent to the Senate **H.4015**, which revises the **PHYSICIAN ASSISTANT PRACTICE ACT**. A physician assistant is a health care professional licensed by the S.C. Board of Medical Examiners to assist in the practice of medicine with a designated physician supervisor under defined scope of practice guidelines. The Board's Physician Assistant Advisory Committee evaluates the qualifications and supervises the examination of applicants for licensure and makes recommendations to the Board regarding licensure applications.

This bill updates and clarifies several aspects of the practice of a physician assistant from licensure requirements to supervision requirements. The bill makes the following substantive changes:

- Streamlines the process for a physician assistant (PA) to receive an authorization to practice. Allows a temporary authorization to practice to be issued after administrative review of the application. Allows a Board of Medical Examiners designee to conduct the required interview to expand the pool of people available to conduct interviews. At the next Board meeting after the temporary license is granted the Physician Assistant Advisory Committee may recommend approval for a permanent license or a limited license. Only the full Board can issue a PA a permanent license to practice.

If a temporary authorization is not granted, the PA Advisory Committee must review the application and may recommend the Board of Medical Examiners change that PA's scope of practice guidelines, or grant a limited license, or grant permanent licensure.

- Allows a PA who does not yet have a supervising physician to receive a temporary authorization pending the requirement to be interviewed along with a supervising physician by a Board member. This change will allow a PA to demonstrate to a potential physician employer that the applicant is eligible to practice but does not authorize the PA to practice without a supervising physician. Within 90 days, the PA applicant must be interviewed by a Board member along with a supervising physician and written scope of practice guidelines.
- Revises the direct supervision requirements to make it clear that that a PA who works at the same site as the supervising physician may work up to seven consecutive days each month when the supervising physician is not physically present.
- Allows an experienced PA with at least two years continuous practice in SC in the same specialty to be able to practice without a supervising physician being on-site after the PA has practiced with that supervising physician for three months. The three-month requirement may be waived for experienced PAs and physician supervisors upon recommendation of the PA Advisory Committee and Board approval.
- Requires the supervising physician to be physically present at an off-site location at least 20% of the time each month the PA is providing services there.
- Revises the chart review requirement. Currently, a supervising physician must review a patient's chart within 72 hours if the physician was not on-site at the time when the PA saw the patient. The amendment will give the physician up to five working days to review the chart unless the medical situation requires quicker review.
- Allows a PA who has a permanent license to write prescriptions for controlled substances in Schedules III - V if this authorization is included in that PA's scope of practice guidelines. Currently a PA may write prescriptions except for drugs in Schedules II - IV.

Requires a PA who seeks the authority to write prescriptions for controlled substances to have 60 hours education in pharmacotherapeutics, at least 15 hours education in controlled substances, and four continuing education hours every two years in prescribing controlled substances. In addition the PA and the supervising physician must read and sign a document describing management of controlled substance prescriptive authority for PAs. Every two years the PA and the supervising physician must provide evidence that they have reviewed this document.

- Prohibits a PA from performing a medical act, task or function that is outside the usual practice of the PA's supervising physician.

HOUSE COMMITTEE ACTION

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

The full committee did not meet this week.

EDUCATION AND PUBLIC WORKS

The full committee did not meet this week.

JUDICIARY

The Judiciary Committee met on Tuesday, February 21, 2006.

H.4410 received a favorable report from the committee. Relating to the **PENALTY FOR LATE FILING OF OR FAILURE TO FILE A REPORT OR STATEMENT REQUIRED BY THE ETHICS ACT**, this bill caps the fine at \$5,000 dollars. Presently, there is no cap on fines.

H.4289 received a favorable with amendment report. This bill repeals Section 16-7-150, the criminal statute pertaining to **LIBEL AND SLANDER**.

The full committee gave a favorable with amendment report to **H.4356**, pertaining to **POLL MANAGERS AND ASSISTANTS**. This bill provides that all managers of election for the various polling places in the State must be registered electors in this State. A sixteen and seventeen-year old shall serve under the supervision of a manager of the polling place who is eighteen years of age or older, and their specific duties must be

prescribed by the county election commission. The bill further provides that no more than one-third of the workers in a polling place may be under the age of eighteen.

The full committee adjourned debate on the following bills:

- **H.4218**, which repeals the “**DEAD MAN’S STATUTE**”
- **H.4411**, pertaining to **ETHICS AND LOBBYING**
- **S.137**, which provides that the **FAMILY COURT MAY ORDER THAT CUSTODY OF A MINOR CHILD BE AWARDED TO THE CHILD'S 'DE FACTO CUSTODIAN' UNDER CERTAIN CIRCUMSTANCES**
- **H.4471**, relating to the **JURISDICTION OF ACTIONS PERTAINING TO A COMMERCIAL LEASE RELATIONSHIP**

The Judiciary Committee tabled **H.4417**, which creates a **PILOT PROGRAM FOR TESTING VOTE CENTERS**.

H.4559, which provides a **UNIFORM METHOD OF FILLING VACANCIES IN AN ELECTED OR APPOINTED OFFICE WHEN A PERSON MOVES HIS RESIDENCE OUTSIDE OF THE AREA FROM WHICH HE WAS ELECTED OR APPOINTED**, was recommitted to the Election Laws Subcommittee.

LABOR, COMMERCE AND INDUSTRY

The full House Labor, Commerce and Industry Committee met on February 21 and reported out three bills.

The committee gave a report of favorable with amendments on **H.4595**. This bill prohibits a person from engaging in the business of **RESIDENTIAL HEATING AND AIR CONDITIONING CONTRACTING** unless licensed as a residential specialty contractor. The legislation prohibits providing a potential buyer a proposal or contract for sale or installation of residential heating and air conditioning, other than a written estimate, before the specifications for the system have been reviewed and approved by a licensed employee of the retail seller, or the retail seller. The bill further specifies contract requirements for the sale and installation of a heating and air conditioning system and provides that the person installing equipment and systems must be licensed and comply with all applicable building codes, manufacturer’s installation instructions, and permit and inspection requirements. The Department of Labor, Licensing and Regulation is authorized to promulgate regulations establishing a civil penalty for violations.

The committee gave a favorable report on **H.4391**, a bill pertaining to **INSURANCE POLICY ADVERTISEMENTS AND INFORMATION IN A FOREIGN LANGUAGE**. This bill provides that if an insurer advertises an insurance policy, or the availability of a foreign language informational sheet, or the availability of a translation of an insurance

policy in a language other than English, the insurer only needs to provide an English written insurance policy, so long as the advertisement clearly states that the insurance policy is only available in English. Notwithstanding the use of a language other than English in an advertisement, if there is a dispute, the insurance policy is controlling and an advertisement for an insurance policy, informational sheet, or translation may not be construed to modify or change the insurance policy.

The committee gave a favorable report on **H.4622**, a bill pertaining to the **OPTIONAL AUTOMOBILE INSURANCE COVERAGE FORM**. This bill provides that the form used when optional automobile insurance coverage is offered to an insured must not necessarily be completed by the insured, but must be signed by the insured to be used as evidence of informed selection.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

The full committee did not meet this week.

WAYS AND MEANS

The full Ways and Means Committee met throughout the week to work on its 2006-2007 State Budget plan. The committee is scheduled to meet again on Tuesday, February 28 to continue these deliberations.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

H.4683 SHOOTING PRESERVES Rep. M.A. Pitts

This bill revises the establishment and operation of shooting preserves. Provisions of the bill include:

- A shooting preserve is not restricted to a maximum number of contiguous acres.
- The annual fee for obtaining a shooting preserve is \$200 dollars for the first 100 acres of shooting preserve area, plus \$50 dollars for each 100 acres or part of it. A separate application and fee is required for each area of contiguous acreage.
- For the privilege of shooting on licensed shooting preserves, a person may purchase a statewide shooting preserve license for not more than eight dollars

and fifty cents. A shooting preserve license allows the shooting only of those species for which an individual shooting preserve is authorized.

- A shooting preserve operator licensed as of December 31, 2005, to release pen-raised mallards or pen-raised turkeys may continue this privilege. Once the current shooting preserve operator chooses not to release pen-raised mallards or pen-raised turkeys, the privilege is revoked. If the current shooting preserve operator does not choose to apply for renewal of a shooting preserve license, the privilege is revoked. The current license may not be transferred in any form or manner at any time to anyone. The current license cannot increase or decrease current acreage.
- The cage facility must be structurally sound and maintained in good repair to protect the animals from injury, to minimize the possibility of escape, and to prevent entrance by other animals.
- Each shooting preserve operator shall maintain a record of the number of shooting preserve designated species released and the number of shooting preserve designated species harvested by month from October through March of each shooting preserve season. Each shooting preserve operator shall maintain a record of the number of hunters and the number of hunts each month from October through March of each shooting preserve season. At the discretion of the department other records may be required. Operators must furnish the department a copy of these records within 60 days after the end of the shooting preserve season. If the department does not receive this required information within the 60 day period, the shooting preserve license may not be issued for the next shooting preserve season.

H.4713 MOTOR FUEL CONTAINING METHYL TERTIARY BUTYL ETHER (MTBE) AND CERTAIN OTHER OXYGENATES Rep. Thompson

Beginning January 1, 2008, this bill provides that it is unlawful for a person knowingly to manufacture, blend, distribute, sell, or offer for sale in this State motor fuel containing MTBE or a covered oxygenate. It is not a violation of this provision to distribute, sell, or offer for sale motor fuel containing incidental amounts of MTBE or a covered oxygenate not to exceed one-half of one percent by volume. The bill does not prohibit the transport through this State of motor fuel containing MTBE or a covered oxygenate for delivery outside this State.

EDUCATION AND PUBLIC WORKS

S.1086 INCORPORATION OF THE BOARD OF PRESBYTERIAN COLLEGE Sen. Verdin

This bill provides for the incorporation of the Board of Trustees of Presbyterian College and provides for the Board's composition and powers. The bill also provides for the Board to appoint an executive committee which would be empowered to transact business for the college.

H.4703 VISION SCREENINGS FOR DRIVER'S LICENSE RENEWAL Rep. Hinson

This bill provides that in addition to other requirements a person must meet in order to renew a driver's license in South Carolina, a person must have 100 degrees or better horizontal vision in at least one eye.

**H.4704 DECALS FOR INDIVIDUALS WHO ARE EXEMPTED FROM
SEAT BELT REQUIREMENTS Rep. Toole**

This bill requires that a driver who possesses a physician's verification that he is unable to wear a safety belt for a physical or medical reason must be provided, upon application to the Department of Motor Vehicles, with a decal which must be affixed to his driver's license to indicate his exemption to the seat belt requirements.

**H.4707 "SOUTH CAROLINA FINANCIAL LITERACY TRUST
ACT" Rep. Govan**

This bill establishes and provides for the "South Carolina Financial Literacy Initiative," a program which seeks to improve financial literacy by providing grants to school districts to provide financial literacy instruction to students in kindergarten through twelfth grade.

H.4724 COMMERCIAL DRIVER'S LICENSES Rep. Townsend

This bill establishes a "Y" endorsement for a commercial driver's license that authorizes the person to drive school buses that are owned by the State, a local school agency, or a private contractor that transport public school children.

JUDICIARY

S.1029 EMINENT DOMAIN STUDY COMMITTEE Sen. Campsen

This joint resolution creates an Eminent Domain Study Committee (1) to review the condemnation authority of all entities that possess the power of eminent domain in South Carolina, and (2) to recommend legislative changes, if appropriate.

**S.1045 TAX CREDIT FOR COUPLES COMPLETING A PREMARITAL
PREPARATION COURSE Sen. Ritchie**

This bill provides that a man and a woman who successfully complete a qualifying premarital preparation course and who have a South Carolina marriage license, which attests the completion of the course, shall be entitled to receive a one-time fifty-dollar state income tax credit.

H.4681 FIREARMS AND CONCEALED WEAPON PERMITS Rep. M.A. Pitts

This bill deletes the provision that prevents a local government from regulating the use, sale, transportation, or public brandishment of firearms during the times of a demonstrated potential for insurrection, invasions, riots, or natural disasters. This bill also provides that the State Law Enforcement Division may release a list of concealed weapon permit holders or verify an individual's permit status only if the request is to aid in an official law enforcement investigation.

H.4682 VULNERABLE ADULTS Rep. Harrison

This bill establishes a special investigations unit within the South Carolina Law Enforcement Division to investigate abuse, neglect and exploitation of vulnerable adults. This unit shall receive all allegations of abuse, neglect and exploitation of vulnerable adults in facilities operated by, or contracted with, the Department of Mental Health, the Department of Disabilities and Special Needs or a disabilities board. This unit shall investigate cases of vulnerable adult fatalities.

The bill also establishes a multi-disciplinary Vulnerable Adults Fatalities Review Committee. The stated purpose of this committee is to decrease the incidence of preventable vulnerable adult deaths.

Meetings of this unit and committee are closed to the public, when the unit or committee is discussing individual cases of vulnerable adult deaths. All information and records acquired by this unit or committee are confidential and not subject to disclosure under the Freedom of Information Act.

H.4686 APPOINTMENT OF A NOTARY PUBLIC Rep. Altman

This bill requires that a notary public appointee be a resident of this State for five years or more. The bill provides that all commissions issued or renewed after July 1, 2006, must meet the residency requirement. All commissions issued before July 1, 2006, unless renewed in compliance with the residency requirement, expire and terminate on January 1, 2008 for a person whose last name begins with A through K and on January 1, 2009 for a person whose last name begins with L through Z.

H.4687 COMMUNITY SERVICES PROVIDED BY THE DEPARTMENT OF JUVENILE JUSTICE Rep. Cotty

This bill provides that intensive supervision services are among the community-based programs the Department of Juvenile Justice provides. The department must provide intensive supervision in all regions of the State. In conjunction with establishing these services, the department shall develop an array of graduated sanctions and impose these sanctions on offenders being provided these services for technical rule violations and minor infractions, whenever feasible to do so, in lieu of re-incarceration of the juvenile in a secure correctional facility. The array of graduated sanctions developed by the department may include, as a condition of their probation or parole, placement of a juvenile in staff or environmentally secure residential programs. Caseworkers selected to monitor, supervise, and serve juveniles assigned to intensive supervision services must have caseloads of no more than twenty juveniles.

H.4692 PENALTIES FOR VIOLATIONS OF CERTAIN DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL RULINGS AND ORDERS

Rep. Davenport

This bill provides that a person who after notice violates a rule, regulation, permit, permit condition, final determination, or order of the Department of Health and Environmental Control issued pursuant to Section 44-1-140 is subject to a civil penalty not to exceed \$1,000 dollars a day for each violation. The department must remit fines collected to the State Treasurer for deposit in the state general fund.

H.4693 PERSONS UNDER EIGHTEEN PROHIBITED FROM OPERATING A MOTOR VEHICLE WHILE USING A CELLULAR TELEPHONE OR ANOTHER WIRELESS COMMUNICATION DEVICE Rep. Littlejohn

This bill provide that it is unlawful for a person under eighteen years of age to operate a motor vehicle while using a cellular telephone or another wireless communications device. A person who violates this provision is guilty of a misdemeanor and, upon conviction for a: (1) first offense must have his driver's license suspended for not more

than thirty days; (2) second offense must have his driver's license suspended for not more than six months; and (3) third offense must have his driver's license suspended for not more than one year.

H.4702 CRITICAL INCIDENT PLANNING AND MAPPING SYSTEM

Rep. Simrill

This bill provides that the State Budget and Control Board shall establish a statewide planning and mapping system for the public buildings in the State for use by response agencies that are called upon to respond to an act of terrorism or a related emergency.

H.4706 TOWING AND STORAGE OF VEHICLES THAT ARE TOWED UNDER THE DIRECTION OF A LAW ENFORCEMENT OFFICER Rep. R.

Brown

This bill relates to the towing and storage of vehicles that are towed under the direction of a law enforcement officer. The bill provides that when a lienholder receives notification from a towing company, storage facility, garage, or repair shop that a vehicle is being sold, the vehicle must be released to the lienholder who is responsible for paying towing and storage costs.

H.4715 DEPARTMENT OF TRANSPORTATION Rep. Witherspoon

This bill provides that the Department of Transportation may acquire real property from the State or its entities without compensating the governmental entity.

LABOR, COMMERCE AND INDUSTRY

S.991 SECURITY FOR A BANK OR TRUST COMPANY Sen. Ryberg

This bill revises provisions for securing of funds received or held in trust by a bank or trust company, so as to further provide for acceptable forms of security.

H.4705 CERTIFIED LIFE UNDERWRITER LICENSING EXAMINATIONS

Rep. E. H. Pitts

This bill revises provisions for individual and agency insurance producer licensing, so as to authorize the director of the Department of Insurance to waive examinations for a certified financial planner in property and casualty and life, accident, and health lines of insurance and examinations in property and casualty lines for a certified life underwriter.

S.1082 PUBLIC SERVICE COMMISSION'S OFFICE OF REGULATORY STAFF

Sen. Moore

This bill revises various provisions relating to the powers, duties, and functions of the Public Service Commission so as to conform them to the legislation which created the Office of Regulatory Staff. The legislation further clarifies and specifies the powers, duties, and responsibilities of the Public Service Commission and the Office of Regulatory Staff.

H.4716 PRIVATE INVESTIGATORS' VEHICLES EXEMPTED FROM PROVISIONS FOR SUNSCREEN DEVICES Rep. E. H. Pitts

This bill revises provisions relating to the operation of motor vehicles with sunscreen devices along the state's highways, so as to provide that the provisions do not apply to a motor vehicle operated by a private investigator licensed by the State Law Enforcement Division.

H.4725 CLOSING DOCUMENTS IN VACATION TIME SHARING PLAN SALES Rep. Cato

This bill establishes provisions for the preparation and supervision of the closing documents and the closing of a purchase and sale of an interest in a vacation time sharing plan. The legislation exempts the transaction from the attorney preference requirement in the Consumer Protection Code if the closing documents contain a conspicuous disclosure to a party to a purchase and sale of an interest in a vacation time sharing plan of the need to understand his rights and obligations pursuant to the closing documents.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

H.4723 DIVISION ON AFFORDABLE HOUSING Rep. Mitchell

This bill establishes the Division on Affordable Housing within the Office of the Lieutenant Governor. This division shall be supported by an Advisory Commission on Affordable Housing, which shall be comprised of individuals from a variety of disciplines who are trained and knowledgeable in affordable housing needs. The bill outlines the duties and functions of both entities.

WAYS AND MEANS

H.4691 USE OF ACCOMMODATIONS TAX REVENUE Rep. Chellis

This bill provides that in counties in which less than nine hundred thousand dollars in accommodations tax is collected annually, up to 50% of the revenue in the preceding year of the local accommodations tax may be used for the operation and maintenance of certain tourist-related items specified in the bill.

H.4709 PROPOSED AMENDMENT TO PROCUREMENT CODE Rep. Coleman

This bill prohibits any governmental entity that receives or expends public monies from accepting a proposal, goods, or services or otherwise transferring public funds with respect to a project, to a person or entity who consulted on or conducted a study or rendered consulting services of that project.

H.4722 SPARTANBURG ASSISTED LIVING MEDICAID
WAIVER Rep. Mitchell

This bill requires and provides for the Director of the Department of Health and Human Services (the Director) to seek federal approval to amend the Home and Community Based Waiver to include federal matching funds for the Spartanburg Assisted Living Medicaid Waiver Program. The bill requires the director to develop Medicaid eligibility determination criteria and requires the General Assembly to appropriate matching funds for five years as described in the bill. The bill requires the Department of Health and Human Services to evaluate, monitor, and report to the General Assembly on the benefits and cost-effectiveness of this program at the end of the first five years of inception.

The *Legislative Update* is on the Worldwide Web. Visit the South Carolina General Assembly Home Page (<http://www.scstatehouse.net>) and click on "*Publications*," then click on "*Legislative Update*." This will list all of the *Legislative Updates* by date. Click on the date you need. Also available on the website is a bill summary index, where bills referenced in one or more issues of the *Legislative Update* are listed in numeric order. Links to the specific text of the *Legislative Update* issue are provided in the bill summary index.

NOTE: THE LEGISLATIVE UPDATE IS AVAILABLE TO LEGISLATIVE TRACKING SUBSCRIBERS. YOU MAY REGISTER FOR THIS FREE SERVICE ON THE SOUTH CAROLINA GENERAL ASSEMBLY HOME PAGE BY CLICKING ON "BILL TRACKING & REPORTS" (UNDER "LEGISLATIVE RESOURCES").